



Security Council

Distr.: General
22 November 2002

Original: English

**Letter dated 22 November 2002 from the Chargé d'affaires a.i. of
the Permanent Mission of Angola to the United Nations addressed
to the President of the Security Council**

I have the honour to transmit a copy of the Declaration by the Joint Commission on the Peace Process in Angola dated 20 November 2002 and request that it be circulated as a document of the Security Council.

(Signed) Margarida Rosa da Silva **Izata**
Minister Counsellor
Chargé d'affaires a.i.



**Annex to the letter dated 22 November 2002 from the Chargé
d'affaires a.i. of the Permanent Mission of Angola to the
United Nations addressed to the President of the Security Council**

**Declaration by the Joint Commission on the Peace Process, signed
at Luanda on 20 November 2002**

The Joint Commission for the Angolan peace process, in the framework of its functions of implementation and conclusion of the Lusaka Protocol, having taken note of the relevant provisions of the "Acordos de Paz para Angola", pursuant to section C of annex 8, item 3.5 of the Lusaka Protocol, hereby issues the present declaration, which is duly signed by the parties, the Chair of the Joint Commission, as well as by the Ambassadors of the Troika of Observer States:

1. The Joint Commission has verified that the main tasks of the Angolan peace process have been completed;
2. The medium and long-term tasks shall be dealt with on a continuing basis, throughout the national reconciliation process, between the Government and UNITA;
3. Accordingly, the Joint Commission recognizes that the reasons to support the maintenance of sanctions against UNITA have ceased to exist, and recommends that the United Nations Security Council consider, with the closure of the Joint Commission, the immediate lifting of all sanctions imposed on UNITA.

For the United Nations

(Signed) Ibrahim A. **Gambari**

Special Representative of the Secretary-General of the United Nations
and Chairman of the Joint Commission

For the Government

(Signed) Fernando da Piedade Dias **dos Santos**

For UNITA

(Signed) Marcial Adriano **Dachala**

For Portugal

(Signed) Francisco Xavier **Esteves**

For the Russian Federation

(Signed) Andrey **Kernarsky**

For the United States

(Signed) Donald **Gatto**

**Security Council**

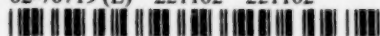
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**Letter dated 20 November 2002 from the Permanent
Representative of Kuwait to the United Nations addressed
to the Secretary-General**

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 18 November 2002 addressed to you by Sheikh Sabah Al-Ahmad Al-Jaber Al-Sabah, First Deputy Prime Minister and Minister for Foreign Affairs of Kuwait (see annex), in response to the letter from the Minister for Foreign Affairs of Iraq addressed to you concerning the return, between 19 and 29 October 2002, of the Kuwaiti archives seized by Iraq (S/2002/1237, annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Mohammad A. **Abulhasan**
Permanent Representative



Annex to the letter dated 20 November 2002 from the Permanent Representative of Kuwait to the United Nations addressed to the Secretary-General

With reference to the letter dated 6 November 2002 from the Minister for Foreign Affairs of Iraq addressed to you concerning the return of the Kuwaiti archives under the supervision of the United Nations and in the presence of a team from the League of Arab States, which took place between 19 and 29 October 2002, I should like to state as follows:

This process falls within the context of Iraq's compliance with the relevant Security Council resolutions requiring it to return Kuwait's property.

Despite the fact that the archives were returned only after many years of denial by Iraq that it had any Kuwaiti documents in its possession, Kuwait nevertheless regards their return as a positive step that it hopes will be complemented by the return of all the property that was looted from Kuwait at the time of the Iraqi occupation of the country.

The handover schedules explicitly state that Kuwait has a period of 60 days in which to authenticate and assess the significance of the documents that have been returned. By the very nature of the situation, it was not possible to scrutinize the documents in detail owing to the character of the location in which the handover took place, and this, in turn, further shortened the duration of the handover itself.

From the preliminary scrutiny of the documents made by the agencies concerned, and despite the fact that they include files belonging to the Ministry of Foreign Affairs and the Office of the Amir, it has become evident that they are of a routine character and do not in any way amount to what can be considered State archives.

Accordingly, I emphasize that the only party that has the right to render judgement on the extent of Iraq's cooperation in this domain is Kuwait. It does so on the basis of its familiarity with its own documents and of its right to play a sovereign role in their scrutiny. No other party has that right.

In its letter, Iraq states that "... any Kuwaiti items or documents that were found subsequently would be returned in the same way". This is tantamount to an explicit acknowledgement on its part that it still has such documents in its possession. It should, in particular, be taken into account that the removal of the documents from occupied Kuwait at the relevant time was supervised by Iraqi officials who were specialists, and this leaves no room for doubt that documents are still being kept by the Iraqi authorities.

Accordingly, Kuwait does not agree that the issue of its national archives should be closed. It calls upon Iraq to complete the return of the archives and especially of documents belonging to the Office of the Amir, the Office of the Heir Apparent, the Council of Ministers and the Ministry of Foreign Affairs.

In closing, I must commend the efforts you have made as well as those of all who have helped to facilitate the return of Kuwaiti property, including the high-level Coordinator for the prisoner issue and the return of property, Ambassador Yuli M. Vorontsov, and the coordinator of the return of the archives, Mr. J. Richard Foran, and his team.

(Signed) Sabah Al-Ahmad Al-Jaber **Al-Sabah**
First Deputy Prime Minister
Minister for Foreign Affairs

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Note by the President of the Security Council

Following informal consultations of the whole on 19 November 2002, the members of the Security Council agreed that the newly elected members of the Council will be invited to attend the informal consultations of the whole and the formal meetings of the subsidiary bodies of the Council for the period of one month immediately preceding their term of membership (that is, with effect from 1 December). Delegations should respect the confidentiality of those discussions.

The members of the Security Council also agreed that, if an incoming member will be assuming the Presidency of the Council in the first two months of its term on the Council, it will be invited to attend the informal consultations of the whole for the period of two months immediately preceding its term of membership (that is, with effect from 1 November).

The members of the Security Council further agreed that each of those incoming member delegations should be represented at the level of Permanent Representative or Deputy Permanent Representative at informal consultations of the whole and by any one member of their delegations at formal meetings of the subsidiary bodies of the Council. For that purpose, one seat will be assigned to each delegation at the side of the room.

The Chairmen of the subsidiary bodies of the Security Council should not otherwise deviate from Council practice with regard to attendance by incoming members without guidance from the Council.

The present note supersedes the note by the President of the Security Council of 28 February 2000 (S/2000/155).

